

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 26 April 2001 (26.04.01)	
International application No. PCT/US00/19496	Applicant's or agent's file reference 1789/49180 PCT
International filing date (day/month/year) 14 July 2000 (14.07.00)	Priority date (day/month/year) 16 July 1999 (16.07.99)
Applicant CLARGETT, James	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

14 February 2001 (14.02.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer R. Forax
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PCT

REQUEST

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum) 1789/49180 PCT

Box No. I TITLE OF INVENTION SMALL PEPTIDES AND METHODS FOR DOWNREGULATION OF IgE	
Box No. II APPLICANT	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.) Histatek, LLC 37 St. Germain Avenue San Francisco, California 94114 US	
<input type="checkbox"/> This person is also inventor.	
Telephone No.	
Facsimile No.	
Teleprinter No.	
State (that is, country) of nationality: US	State (that is, country) of residence: US
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input checked="" type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.) Clagett, James P.O. Box 914 Snohomish, Washington 98290 US	
This person is: <input type="checkbox"/> applicant only <input checked="" type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)	
State (that is, country) of nationality: US	State (that is, country) of residence: US
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input checked="" type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.	
Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as: <input checked="" type="checkbox"/> agent <input type="checkbox"/> common representative	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.) Neuner, George W. Dike, Bronstein, Roberts and Cushman, Intellectual Property Group EDWARDS & ANGELL, LLP 130 Water Street Boston, Massachusetts 02109 US	
Telephone No. (617) 523-3400	
Facsimile No. (617) 523-6440	
Teleprinter No. N/A	
<input type="checkbox"/> Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.	

Box No. V DESIGNATION OF STATES

The following designations are hereby made under Rule 4.9(a) (mark the applicable check-boxes; at least one must be marked):

Regional Patent

- ☒ **AP ARIPO Patent:** GH Ghana, GM Gambia, KE Kenya, LS Lesotho, MW Malawi, SD Sudan, SL Sierra Leone, SZ Swaziland, TZ United Republic of Tanzania, UG Uganda, ZW Zimbabwe, and any other State which is a Contracting State of the Harare Protocol and of the PCT
- ☒ **EA Eurasian Patent:** AM Armenia, AZ Azerbaijan, BY Belarus, KG Kyrgyzstan, KZ Kazakhstan, MD Republic of Moldova, RU Russian Federation, TJ Tajikistan, TM Turkmenistan, and any other State which is a Contracting State of the Eurasian
- ☒ **EP European Patent:** AT Austria, BE Belgium, CH and LI Switzerland and Liechtenstein, CY Cyprus, DE Germany, DK Denmark, ES Spain, FI Finland, FR France, GB United Kingdom, GR Greece, IE Ireland, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, PT Portugal, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT
- ☒ **OA OAPI Patent:** BF Burkina Faso, BJ Benin, CF Central African Republic, CG Congo, CI Côte d'Ivoire, CM Cameroon, GA Gabon, GN Guinea, GW Guinea-Bissau, ML Mali, MR Mauritania, NE Niger, SN Senegal, TD Chad, TG Togo, and any other State which is a member State of OAPI and a Contracting State of the PCT (if other kind of protection or treatment desired, specify on dotted line)

National Patent (if other kind of protection or treatment desired, specify on dotted line):

- | | |
|--|--|
| <input checked="" type="checkbox"/> AE United Arab Emirates | <input checked="" type="checkbox"/> LR Liberia |
| <input checked="" type="checkbox"/> AL Albania | <input checked="" type="checkbox"/> LS Lesotho |
| <input checked="" type="checkbox"/> AM Armenia | <input checked="" type="checkbox"/> LT Lithuania |
| <input checked="" type="checkbox"/> AT Austria | <input checked="" type="checkbox"/> LU Luxembourg |
| <input checked="" type="checkbox"/> AU Australia | <input checked="" type="checkbox"/> LV Latvia |
| <input checked="" type="checkbox"/> AZ Azerbaijan | <input checked="" type="checkbox"/> MA Morocco |
| <input checked="" type="checkbox"/> BA Bosnia and Herzegovina | <input checked="" type="checkbox"/> MD Republic of Moldova |
| <input checked="" type="checkbox"/> BB Barbados | <input checked="" type="checkbox"/> MG Madagascar |
| <input checked="" type="checkbox"/> BG Bulgaria | <input checked="" type="checkbox"/> MK The former Yugoslav Republic of Macedonia |
| <input checked="" type="checkbox"/> BR Brazil | |
| <input checked="" type="checkbox"/> BY Belarus | <input checked="" type="checkbox"/> MN Mongolia |
| <input checked="" type="checkbox"/> CA Canada | <input checked="" type="checkbox"/> MW Malawi |
| <input checked="" type="checkbox"/> CH and LI Switzerland and Liechtenstein | <input checked="" type="checkbox"/> MX Mexico |
| <input checked="" type="checkbox"/> CN China | <input checked="" type="checkbox"/> NO Norway |
| <input checked="" type="checkbox"/> CR Costa Rica | <input checked="" type="checkbox"/> NZ New Zealand |
| <input checked="" type="checkbox"/> CU Cuba | <input checked="" type="checkbox"/> PL Poland |
| <input checked="" type="checkbox"/> CZ Czech Republic | <input checked="" type="checkbox"/> PT Portugal |
| <input checked="" type="checkbox"/> DE Germany | <input checked="" type="checkbox"/> RO Romania |
| <input checked="" type="checkbox"/> DK Denmark | <input checked="" type="checkbox"/> RU Russian Federation |
| <input checked="" type="checkbox"/> DM Dominica | <input checked="" type="checkbox"/> SD Sudan |
| <input checked="" type="checkbox"/> EE Estonia | <input checked="" type="checkbox"/> SE Sweden |
| <input checked="" type="checkbox"/> ES Spain | <input checked="" type="checkbox"/> SG Singapore |
| <input checked="" type="checkbox"/> FI Finland | <input checked="" type="checkbox"/> SI Slovenia |
| <input checked="" type="checkbox"/> GB United Kingdom | <input checked="" type="checkbox"/> SK Slovakia |
| <input checked="" type="checkbox"/> GD Grenada | <input checked="" type="checkbox"/> SL Sierra Leone |
| <input checked="" type="checkbox"/> GE Georgia | <input checked="" type="checkbox"/> TJ Tajikistan |
| <input checked="" type="checkbox"/> GH Ghana | <input checked="" type="checkbox"/> TM Turkmenistan |
| <input checked="" type="checkbox"/> GM Gambia | <input checked="" type="checkbox"/> TR Turkey |
| <input checked="" type="checkbox"/> HR Croatia | <input checked="" type="checkbox"/> TT Trinidad and Tobago |
| <input checked="" type="checkbox"/> HU Hungary | <input checked="" type="checkbox"/> TZ United Republic of Tanzania |
| <input checked="" type="checkbox"/> ID Indonesia | <input checked="" type="checkbox"/> UA Ukraine |
| <input checked="" type="checkbox"/> IL Israel | <input checked="" type="checkbox"/> UG Uganda |
| <input checked="" type="checkbox"/> IN India | <input checked="" type="checkbox"/> US United States of America |
| <input checked="" type="checkbox"/> IS Iceland | |
| <input checked="" type="checkbox"/> JP Japan | <input checked="" type="checkbox"/> UZ Uzbekistan |
| <input checked="" type="checkbox"/> KE Kenya | <input checked="" type="checkbox"/> VN Viet Nam |
| <input checked="" type="checkbox"/> KG Kyrgyzstan | <input checked="" type="checkbox"/> YU Yugoslavia |
| <input checked="" type="checkbox"/> KP Democratic People's Republic of Korea | <input checked="" type="checkbox"/> ZA South Africa |
| | <input checked="" type="checkbox"/> ZW Zimbabwe |
| <input checked="" type="checkbox"/> KR Republic of Korea | Check-boxes reserved for designating States which have become party to the PCT after issuance of this sheet: |
| <input checked="" type="checkbox"/> KZ Kazakhstan | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> LC Saint Lucia | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> LK Sri Lanka | |

Precautionary Designation Statement: In addition to the designations made above, the applicant also makes under Rule 4.9(b) all other designations which would be permitted under the PCT except any designation(s) indicated in the Supplemental Box as being excluded from the scope of this statement. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit. (Confirmation (including fees) must reach the receiving Office within the 15-month time limit.)

Supplemental Box *If the Supplemental Box is not used, this sheet need not be included in the request.*

1. If, in any of the Boxes, the space is insufficient to furnish all the information: in such case, write "Continuation of Box No. ..." [indicate the number of the Box] and furnish the information in the same manner as required according to the captions of the Box in which the space was insufficient, in particular:

- (i) if more than two persons are involved as applicants and/or inventors and no "continuation sheet" is available: in such case, write "Continuation of Box No. III" and indicate for each additional person the same type of information as required in Box No. III. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below;
- (ii) if, in Box No. II or in any of the sub-boxes of Box No. III, the indication "the States indicated in the Supplemental Box" is checked: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the applicant(s) involved and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is applicant;
- (iii) if, in Box No. II or in any of the sub-boxes of Box No. III, the inventor or the inventor/applicant is not inventor for the purposes of all designated States or for the purposes of the United States of America: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the inventor(s) and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is inventor;
- (iv) if, in addition to the agent(s) indicated in Box IV, there are further agents: in such case, write "Continuation of Box No. IV" and indicate for each further agent the same type of information as required in Box No. IV;
- (v) if, in Box No. V, the name of any State (or OAPI) is accompanied by the indication "patent of addition," or "certificate of addition," or if, in Box No. V, the name of the United States of America is accompanied by an indication "continuation" or "continuation-in-part": in such case, write "Continuation of Box No. V" and the name of each State involved (or OAPI), and after the name of each such State (or OAPI), the number of the parent title or parent application and the date of grant of the parent title or filing of the parent application;
- (vi) if, in Box No. VI, there are more than three earlier applications whose priority is claimed: in such case, write "Continuation of Box No. VI" and indicate for each additional earlier application the same type of information as required in Box No. VI;
- (vii) if, in Box No. VI, the earlier application is an ARIPO application: in such case, write "Continuation of Box No. VI", specify the number of the item corresponding to that earlier application and indicate at least one country party to the Paris Convention for the Protection of Industrial Property or one Member of the World Trade Organization for which that earlier application was filed.

2. If, with regard to the precautionary designation statement contained in Box No. V, the applicant wishes to exclude any State(s) from the scope of that statement: in such case, write "Designation(s) excluded from precautionary designation statement" and indicate the name or two-letter code of each State so excluded.

3. If the applicant claims, in respect of any designated Office, the benefits of provisions of the national law concerning non-prejudicial disclosures or exceptions to lack of novelty: in such case, write "Statement concerning non-prejudicial disclosures or exceptions to lack of novelty" and furnish that statement below.

Continuation of Box IV

BRONSTEIN, Sewall P.
 CONLIN, David G.
 BUCKLEY, Linda M.
 CORLESS, Peter F.
 MANUS, Peter J.
 LOWEN, Cara Z.
 DALEY, Jr., William J.
 BUCHANAN, Robert L.
 O'DAY, Christine O.
 SWISZCZ, Lisa Hazzard
 TUCKER, David A.
 HARTNELL, George W., III
 HOLMES, Jennifer
 SHRAY, Kerri Pollard

The above-referenced attorneys are all members of Dike, Bronstein, Roberts & Cushman, Intellectual Property Group, EDWARDS & ANGELL, LLP, 130 Water Street, Boston, Massachusetts 02109, US

Box No. VI PRIORITY CLAIM		<input type="checkbox"/> Further priority claims are indicated in the Supplemental Box.		
Filing date of earlier application (day/month/year)	Number of earlier application	Where earlier application is:		
		national application: country	regional application:* regional Office	international application: receiving Office
item (1) 16/07/99 16 July 1999	60/144,539			
item (2)				
item (3)				

☐ The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) (only if the earlier application was filed with the Office which for the purposes of the present international application is the receiving Office) identified above as item(s): (1)

* Where the earlier application is an ARIPO application, it is mandatory to indicate in the Supplemental Box at least one country party to the Paris Convention for the Protection of Industrial Property for which that earlier application was filed (Rule 4.10(b)(ii)). See Supplemental Box.

Box No. VII INTERNATIONAL SEARCHING AUTHORITY	
Choice of International Searching Authority (ISA) (if two or more International Searching Authorities are competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used): ISA/JS	Request to use results of earlier search; reference to that search (if an earlier search has been carried out by or requested from the International Searching Authority): Date (day/month/year) Number Country (or regional Office)

Box No. VIII CHECK LIST: LANGUAGE OF FILING	
This international application contains the following number of sheets: request : 4 description (excluding sequence listing part) : 36 claims : 1 abstract : 1 drawings : 17 sequence listing part of description : _____ Total number of sheets : 59	This international application is accompanied by the item(s) marked below: 1. <input type="checkbox"/> fee calculation sheet 2. <input type="checkbox"/> separate signed power of attorney 3. <input type="checkbox"/> copy of general power of attorney; reference number, if any: 4. <input type="checkbox"/> statement explaining lack of signature 5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s): 6. <input type="checkbox"/> translation of international application into (language): 7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material 8. <input type="checkbox"/> nucleotide and/or amino acid sequence listing in computer readable form 9. <input type="checkbox"/> other (specify):
Figure of the drawings which should accompany the abstract: Fig. 1	Language of filing of the international application: English

Box No. IX SIGNATURE OF APPLICANT OR AGENT	
Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request). Histatek, LLC Craig Palmer	

For receiving Office use only		2. Drawings: <input type="checkbox"/> received: <input type="checkbox"/> not received:
1. Date of actual receipt of the purported international application:		
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:		
4. Date of timely receipt of the required corrections under PCT Article 11(2):		
5. International Searching Authority (if two or more are competent): ISA/	6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid.	

For International Bureau use only	
Date of receipt of the record copy by the International Bureau:	

PCT

FEE CALCULATION SHEET

Annex to the Request

For receiving Office use only

International application No.

Applicant's or agent's
file reference

1789/49180 PCT

Date stamp of the receiving Office

Applicant
Histatek, LLC

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE	240.00	T
2. SEARCH FEE	700.00	S
International search to be carried out by		
<i>(If two or more International Searching Authorities are competent in relation to the international application, indicate the name of the Authority which is chosen to carry out the international search.)</i>		
3. INTERNATIONAL FEE		
Basic Fee		
The international application contains <u>59</u> sheets.		
first 30 sheets	427.00	b1
<u>29</u> x <u>\$10.00</u>	290.00	b2
remaining sheets additional amount =		
Add amounts entered at b1 and b2 and enter total at B	717.00	B
Designation Fees		
The international application contains <u>8</u> designations.		
<u>8</u> x <u>92.00</u>	736.00	D
number of designation fees amount of designation fee payable (maximum 8)		
Add amounts entered at B and D and enter total at I	1,453.00	I
<i>(Applicants from certain States are entitled to a reduction of 75% of the international fee. Where the applicant is (or all applicants are) so entitled, the</i>		
4. FEE FOR PRIORITY DOCUMENT (if applicable)	15.00	P
5. TOTAL FEES PAYABLE	2,408.00	
Add amounts entered at T, S, I and P, and enter total in the TOTAL box		
	TOTAL	

☐ The designation fees are not paid at this time.

MODE OF PAYMENT

<input type="checkbox"/> authorization to charge deposit account (see below)	<input type="checkbox"/> bank draft	<input type="checkbox"/> coupons
<input checked="" type="checkbox"/> cheque	<input type="checkbox"/> cash	<input type="checkbox"/> other (specify):
<input type="checkbox"/> postal money order	<input type="checkbox"/> revenue stamps	

DEPOSIT ACCOUNT AUTHORIZATION (this mode of payment may not be available at all receiving Offices)

The RO/ US ☐ is hereby authorized to charge the total fees indicated above to my deposit account.

☒ (this check-box may be marked only if the conditions for deposit accounts of the receiving Office so permit) is hereby authorized to charge any deficiency or credit any overpayment in the total fees indicated above to my deposit account.

☐ is hereby authorized to charge the fee for preparation and transmittal of the priority document to the International Bureau of WIPO to my deposit account.

04-1105
Deposit Account No. 14-July 2000 Date (day/month/year)

[Signature] Signature

PCT**FEE CALCULATION SHEET**
Annex to the Request

For receiving Office use only

PCT/US 00/19496

International application No.

RO/US 14 JUL 2000

Date stamp of the receiving Office

(14.07.00)

Applicant's or agent's
file reference

1789/49180 PCT

Applicant
Histatek, LLC**CALCULATION OF PRESCRIBED FEES**

1. TRANSMITTAL FEE

240.00 **T**

240

2. SEARCH FEE

700.00 **S**

700

International search to be carried out by

(If two or more International Searching Authorities are competent in relation to the international application, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FEE

Basic FeeThe international application contains 59 sheets.

first 30 sheets

427.00 **b1**

427

29
remaining sheetsx \$10.00
additional amount290.00 **b2**

290

Add amounts entered at b1 and b2 and enter total at B

717.00 **B**

717

Designation FeesThe international application contains 8 designations.8
number of designation feesx 92.00
amount of designation fee

payable (maximum 8)

736.00 **D**

736

Add amounts entered at B and D and enter total at I

1,453.00 **I**

1453

(Applicants from certain States are entitled to a reduction of 75% of the international fee. Where the applicant is (or all applicants are) so entitled, the

4. FEE FOR PRIORITY DOCUMENT (if applicable)

15.00 **P**

15

5. TOTAL FEES PAYABLE

2,408.00

2408

Add amounts entered at T, S, I and P, and enter total in the TOTAL box

TOTAL☐ The designation fees are not paid at this time.**MODE OF PAYMENT**☐ authorization to charge
deposit account (see below)☐ bank draft☐ coupons☒ cheque☐ cash☐ other (specify):☐ postal money order☐ revenue stamps**DEPOSIT ACCOUNT AUTHORIZATION** (this mode of payment may not be available at all receiving Offices)The RO/ US☐ is hereby authorized to charge the total fees indicated above to my deposit account.☒ (this check-box may be marked only if the conditions for deposit accounts of the receiving Office so permit) is hereby authorized to charge any deficiency or credit any overpayment in the total fees indicated above to my deposit account.☐ is hereby authorized to charge the fee for preparation and transmittal of the priority document to the International Bureau of WIPO to my deposit account.

04-1105

Deposit Account No.

Date (day/month/year) 14 July 2000Signature [Signature]

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US00/19496

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A61K 38/04, 38/06, 38/07, C07K 5/00, 5/08, 5/10
 US CL : 514/18

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 424/185.1, 190.1; 514/12, 18, 19; 530/324, 330, 331

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
 WEST, AGRICOLA, BIOBUSINESS, BIOCOMMERCE, BIOSIS, BIOTECHDS, CABA, CANCERLIT, CAPLUS, CEABA, CIN, CONFSCI, DGENE, EMBASE, ESBIODASE, FSTA, GENBANK, JICST-EPLUS, LIFESCI, MEDLINE, NTIS, PROMT, SCISEARCH, TOXLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y, P	WO 00/32217 A1 (HISTATEK, LLC) 08 June 2000 (08.06.2000), see Abstract.	1-6
Y	WO 99/25372 A1 (HISATEK, LLC) 27 May 1999 (27.05.1999), see entire document, especially pages 6-8.	1-6
A	US 4,749,685 A (MARTENS et al) 07 June 1988 (07.06.1988), see entire document.	1-6

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"A" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

Date of mailing of the international search report

20 SEP 2000

Name and mailing address of the ISA/US

Commissioner of Patents and Trademarks

Box PCT

Washington, D.C. 20231

Facsimile No. (703)305-3230

Authorized officer

Christopher Low

Telephone No. 703-308-0196

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 1789/49180 P	FOR FURTHER ACTION	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/US00/19496	International filing date (day/month/year) 14 July 2000 (14.07.2000)	(Earliest) Priority Date (day/month/year) 16 July 1999 (16.07.1999)
Applicant HISTATEK, LLC		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 2 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the Report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
2. ☐ Certain claims were found unsearchable (See Box I).
3. ☐ Unity of invention is lacking (See Box II).
4. With regard to the title,
- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established by this Authority to read as follows:
5. With regard to the abstract,
- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. The figure of the drawings to be published with the abstract is Figure No.
- ☐ as suggested by the applicant.
- ☐ because the applicant failed to suggest a figure.
- ☐ because this figure better characterizes the invention.
- ☒ None of the figures

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US00/19496

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A61K 38/04, 38/06, 38/07, C07K 5/00, 5/08, 5/10
US CL : 514/18

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 424/185.1, 190.1; 514/12, 18, 19; 530/324, 330, 331

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
WEST, AGRICOLA, BIOBUSINESS, BIOCOMMERCE, BIOSIS, BIOTECHDS, CABA, CANCERLIT, CAPLUS, CEABA, CIN, CONFSCI, DGENE, EMBASE, ESBIODASE, FSTA, GENBANK, JICST-EPLUS, LIFESCI, MEDLINE, NTIS, PROMT, SCISEARCH, TOXLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y, P	WO 00/32217 A1 (HISTATEK, LLC) 08 June 2000 (08.06.2000), see Abstract.	1-6
Y	WO 99/25372 A1 (HISATEK, LLC) 27 May 1999 (27.05.1999), see entire document, especially pages 6-8.	1-6
A	US 4,749,685 A (MARTENS et al) 07 June 1988 (07.06.1988), see entire document.	1-6

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"B" earlier application or patent published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T"

later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X"

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y"

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"Z"

document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

20 SEP 2000

Name and mailing address of the ISA/US

Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Facsimile No. (703)305-3230

Authorized officer

Christopher Low

Telephone No. 703-308-0196

From the RECEIVING OFFICE

PCT

To:

GEORGE W. NEUNER
DIKE, BRONSTEIN, ROBERTS AND CUSHMAN
INTELLECTUAL PROPERTY GROUP
EDWARDS & ANGELL, LLP, 130 WATER ST.
BOSTON MA 02109

**NOTIFICATION OF THE INTERNATIONAL
APPLICATION NUMBER AND OF THE
INTERNATIONAL FILING DATE**

(PCT Rule 20.5(c))

Date of mailing
(day/month/year)

1 6 AUG 2000

Applicant's or agent's file reference
1789/49180 P

IMPORTANT NOTIFICATION

International application No.

PCT/US00/19496

International filing date (day/month/year)

14 JUL 00

Priority date (day/month/year)

16 JUL 99

Applicant HISTATEK, LLC

Title of the invention SMALL PEPTIDES AND METHODS FOR DOWNREGULATION OF
IGE

1. The applicant is hereby notified that the international application has been accorded the international application number and the international filing date indicated above.

2. The applicant is further notified that the record copy of the international application:



was transmitted to the International Bureau on

1 6 AUG 2000

has not yet been transmitted to the International Bureau for the reason indicated below and a copy of this notification has been sent to the International Bureau**.



because the necessary national security clearance has not yet been obtained.



because (reason to be specified):

* The International Bureau monitors the transmittal of the record copy by the receiving Office and will notify the applicant (with Form PCT/IB/301) of its receipt. Should the record copy not have been received by the expiration of 14 months from the priority date, the International Bureau will notify the applicant (Rule 22.1(c)).

3. FOREIGN TRANSMITTAL LICENSE INFORMATIONCompleted by: J. Jones

Additional license for foreign transmittal not required. This subject matter is covered by a license already granted on the equivalent U.S. national application. Refer to that license for information concerning its scope.



License for foreign transmittal not required. 37 CFR 5.11(e)(1) or 37 CFR 5.11(e)(2). However, a license may be required for additional subject matter. See 37 CFR 5.15(b).



Foreign transmittal license granted. 35 U.S.C. 184; 37 CFR 5.11 on 7-24-00 :
(date)



37 CFR 5.15(a)



37 CFR 5.15(b)

Name and mailing address of the receiving Office
Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231
Facsimile No.

Attn: RO/US

Authorized officer

Dian Sellers
PCT/Internat'l Appl Processing Div
(703) 305-3742

Telephone No.

Corrected
Dike, Bronstein, Roberts & Cushman, LLP
130 Water St. Boston, MA 02108

Date Rec'd, 8/17/00Docketed For Sept. 24/16, 2000

From the RECEIVING OFFICE

PCT

To:

GEORGE W. NEUNER
DIKE, BRONSTEIN, ROBERTS AND CUSHMAN
INTELLECTUAL PROPERTY GROUP
EDWARDS & ANGELL, LLP, 130 WATER ST.
BOSTON MA 02109

**INVITATION TO CORRECT DEFECTS IN
THE INTERNATIONAL APPLICATION**

(PCT Articles 3(4)(i) and 14(1) and Rule 26)

Date of mailing (day/month/year)	
16 AUG 2000	
Applicant's or agent's file reference 1789/49180 P	REPLY DUE within ONE MONTH from the above date of mailing
International application No. PCT/US00/19496	International filing date (day/month/year) 14 JUL 00
Applicant HISTATEK, LLC	

1. ☒ The applicant is hereby invited, within the time limit indicated above, to correct, in the international application as filed, the defects specified on the attached
 - ☒ Annex A
 - ☒ Annex B1 (text matter of the international application as filed)
 - ☒ Annex C1 (drawings of the international application as filed)
2. ☐ The applicant is hereby invited, within the time limit indicated above, to correct, in the translation of the international application furnished under Rule 12.3, the defects specified on the attached
 - ☐ Annex A
 - ☐ Annex B2 (text matter of the translation of the international application)
 - ☐ Annex C2 (drawings of the translation of the international application)

Additional observations (if necessary):

HOW TO CORRECT THE DEFECTS?

Correction must be submitted by filing a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. A correction may be stated in a letter only if it is of such a nature that it can be transferred from the letter to the record copy without adversely affecting the clarity and direct reproducibility of the sheet onto which the correction is to be transferred (Rule 26.4).

ATTENTION

Failure to correct the defects will result in the international application being considered withdrawn by this receiving Office (see Rule 26.5 for further details).

A copy of this invitation and any attachments has been sent to the International Bureau

☐ and the International Searching Authority.

Name and mailing address of the receiving Office Assistant Commissioner for Patents Box PCT Washington, D.C. 20231 Facsimile No.	Attn: RO/US	Authorized officer Dian Sellers PCT/Internat'l Appl Processing Div (703) 305-3742 Telephone No.
--	-------------	---

PCT/US00/19496

The receiving Office has found the following defects in the international application as filed:

1. As to signature* of the international application (Rules 4.15 and 90.4), the request:

- a. ☒ is not signed.
b. ☒ is not signed by all applicants.
c. ☐ is not accompanied by the statement referred to in the check list in Box No. VIII of the request explaining the lack of the signature of an applicant for the designation of the United States of America.
d. ☒ is signed by what appears to be an agent/common representative but
☐ the international application is not accompanied by a power of attorney appointing him.
☐ the power of attorney accompanying the international application was not signed by all the applicants.
e. ☐ other (specify):

* All applicants must sign, including inventors if they are also applicants (e.g. where the United States of America is designated).

2. As to indications concerning the applicant, the request (Rules 4.4 and 4.5):

- a. ☐ does not properly indicate the applicant's name (specify):

b. ☐ does not indicate the applicant's address.
c. ☐ does not properly indicate the applicant's address (specify):

d. ☐ does not indicate the applicant's nationality.
e. ☐ does not indicate the applicant's residence.
f. ☐ other (specify):

3. As to the language of certain elements of the international application, other than the description and claims (Rules 12.1(c) and 26.3ter(a) and (c)):

- a. ☐ the request is not in a language which is both a language accepted by this receiving Office and a language of publication, which is (are):

b. ☐ the text matter of the drawings is not in the language in which the international application is to be published, which is:

c. ☐ the abstract is not in the language in which the international application is to be published, which is:

4. The title of the invention:

- a. ☐ is not indicated in Box No. I of the request (Rule 4.1(a)).
b. ☐ is not indicated at the top of the first sheet of the description (Rule 5.1(a)).
c. ☐ as appearing in Box No. I of the request is not identical with the title heading the description (Rule 5.1(a)).

5. As to the abstract (Rule 8):

- ☐ the international application does not contain an abstract.

ANNEX B1 TO FORM PCT/RO/106

International application No.

PCT/US00/19496

The receiving Office has found that, with regard to the presentation of the text matter of the international application as filed, the physical requirements are not complied with to the extent that compliance therewith is necessary for:

1. ☒ reasonably uniform international publication (Rules 11 and 26.3(a)(i)) (defects to be specified):

	Request	Description	Claims	Abstract
a. <input type="checkbox"/> The sheets do not admit of direct reproduction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. <input type="checkbox"/> The element does not commence on a new sheet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. <input type="checkbox"/> Sheets are not free from creases, cracks, folds.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. <input type="checkbox"/> Sheets are not used in the upright position.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. <input type="checkbox"/> One side of the sheets is not left unused.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. <input type="checkbox"/> The paper of the sheets is not flexible/strong/white/smooth/non-shiny/durable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. <input type="checkbox"/> The sheets are not connected as prescribed (Rule 11.4(b)).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. <input type="checkbox"/> Sheets are not A4 size (29.7 cm x 21 cm).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. <input checked="" type="checkbox"/> The minimum margins on the sheets are not as prescribed (top: 2 cm; left side: 2.5 cm; right side: 2 cm; bottom: 2 cm).	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
j. <input type="checkbox"/> The file reference number indicated on the sheets does not appear in the left-hand corner of the sheets, within 1.5 cm of the top of the sheets.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. <input type="checkbox"/> The file reference number exceeds the maximum of 12 characters.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. <input type="checkbox"/> The sheets of the description, claims and abstract are not numbered in consecutive Arabic numerals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. <input type="checkbox"/> The sheet numbers are not centered at the top or bottom of the sheets.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n. <input type="checkbox"/> The sheet numbers are in the margin (see i. above for the size of the margins).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o. <input type="checkbox"/> The text matter is not typed or printed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
p. <input type="checkbox"/> The typing on the sheets is not 1.5-spaced.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
q. <input type="checkbox"/> The characters in the text matter on the sheets are less than 0.21 cm high in capital letters.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
r. <input type="checkbox"/> The text matter on the sheets is not in dark, indelible color.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
s. <input type="checkbox"/> The element contains drawings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
t. <input type="checkbox"/> The sheets contain alterations/overwritings/interlineations/too many erasures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
u. <input type="checkbox"/> The sheets contain photocopy marks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. ☐ satisfactory reproduction (Rules 11 and 26.3(b)(i)).

Further observation (if necessary):

The receiving Office has found that, with regard to the presentation of the drawings of the international application as filed, the physical requirements are not complied with to the extent that compliance therewith is necessary for:

1. ☒ reasonably uniform international publication (Rules 11 and 26.3(a)(i)) (defects to be specified):

Sheets containing drawings:

- a. ☒ the sheets do not admit of direct reproduction.
- b. ☐ the sheets are not free from creases, cracks, folds.
- c. ☐ one side of the sheets is not left unused.
- d. ☐ the paper of the sheets is not flexible/strong/white/smooth/non-shiny/durable.
- e. ☐ the drawings do not commence on a new sheet.
- f. ☐ the sheets are not connected as prescribed (Rule 11.4(b)).
- g. ☐ the sheets are not A4 size (29.7cm x 21cm).
- h. ☒ the minimum margins on the sheets are not as prescribed (top: 2.5cm; left side: 2.5cm; right side: 1.5cm; bottom: 1cm).
- i. ☐ the file reference number indicated on the sheets does not appear in the left-hand corner of the sheets, within 1.5cm of the top of the sheets.
- j. ☐ the file reference number exceeds the maximum of 12 characters.
- k. ☐ the sheets are not free from frames around usable or used surfaces.
- l. ☒ the sheets are not numbered in consecutive Arabic numerals (e.g. 1/3, 2/3, 3/3).
- m. ☐ the sheet numbers are not centered at the top or bottom of the sheets.
- n. ☐ the sheet numbers are in the margin (see h. above for the size of the margins).
- o. ☒ the sheets contain alterations/overwritings/interlineations/too many erasures.
- p. ☒ the sheets contain photocopy marks.

Drawings (Rule 11.13):

- a. ☒ do not admit of direct reproduction.
- b. ☐ contain unnecessary text matter.
- c. ☐ contain words so placed as to prevent translation without interference with lines thereof.
- d. ☐ are not executed in durable black color; the lines are not uniformly thick and well-defined.
- e. ☐ contain cross-sections not properly hatched.
- f. ☐ would not be properly distinguishable in reduced reproduction.
- g. ☐ contain scales not represented graphically.
- h. ☐ contain numbers, letters and reference lines lacking simplicity and clarity.
- i. ☐ contain lines drafted without the aid of drafting instruments.
- j. ☐ contain disproportionate elements of a figure not necessary for clarity.
- k. ☐ contain numbers and letters of height less than 0.32 cm.
- l. ☐ contain letters not conforming to the Latin, and where customary, Greek alphabets.
- m. ☐ contain figures on two or more sheets which form a single complete figure but which are not able to be assembled without concealing parts thereof.
- n. ☐ contain figures which are not properly arranged and clearly separated.
- o. ☐ contain different figures not numbered in consecutive Arabic numerals.
- p. ☐ contain different figures not numbered independent of the numbering of the sheets.
- q. ☐ are not restricted to reference signs mentioned in the description.
- r. ☐ do not contain reference signs that are mentioned in the description.
- s. ☐ contain the same feature denoted by different reference signs.
- t. ☐ are not arranged in an upright position, clearly separated from one another.
- u. ☐ are not presented sideways with the top of the figures at the left side of the sheets.

2. ☐ satisfactory reproduction (Rules 11 and 26.3(b)(i)).

Further observations (if necessary):

- NO SOLID BLACK/SHADING
 - PHOTOCOPIES OF PHOTO NOT
 ACCEPTABLE
 - NEW DRAWINGS REQUIRED

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

GEORGE W. NEUNER
DIKE, BRONSTEIN, ROBERTS AND CUSHMAN
INTELLECTUAL PROPERTY GROUP
EDWARDS & ANGELL, LLP, 130 WATER ST.
BOSTON MA 02109

RECEIVED

AUG 17 2000

DIKE BRONSTEIN
ROBERTS CUSHMAN
(day/month/year)

NOTIFICATION OF RECEIPT
OF SEARCH COPY

(PCT Rule 25.1)

16 AUG 2000

Applicant's or agent's file reference

1789/49180 P

IMPORTANT NOTIFICATION

International application No.

PCT/US00/19496

International filing date (day/month/year)

14 JUL 00

Priority date (day/month/year)

16 JUL 99

Applicant

HISTATEK, LLC

1. Where the International Searching Authority and the receiving Office are not the same Office:

The applicant is hereby notified that the search copy of the international application was received by this International Searching Authority on the date indicated below.

Where the International Searching Authority and the receiving Office are the same Office:

The applicant is hereby notified that the search copy of the international application was received on the date indicated below.

16 AUG 2000

(date of receipt)

2. Time limit for establishment of international search report

The applicant is informed that the time limit for establishing the international search report is 3 months from the date of receipt indicated above or 9 months from the priority date, whichever time limit expires later.

3. A copy of this notification has been sent to the International Bureau and, where the first sentence of paragraph 1 applies, to the receiving Office.

Name and mailing address of the ISA/US

Assistant Commissioner for Patents

Box PCT

Washington, D.C. 20231

Facsimile No.

Attn: ISA/US

Authorized officer

Dian Sellers

PCT/Internat'l Appl Processing Div

(703) 305-3742

Telephone No.

**SEE
OTHER SIDE**

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

To:
 GEORGE W. NEUNER
 DIKE, BRONSTEIN, ROBERTS AND CUSHMAN
 INTELLECTUAL PROPERTY GROUP
 EDWARDS & ANGELL, LLP, 130 WATER ST.
 BOSTON, MA 02109

COMMUNICATION IN CASES FOR WHICH
 NO OTHER FORM IS APPLICABLE

Applicant's or agent's file reference <p style="text-align: center;">1789/49180 P</p>	Date of mailing <i>(day month year)</i> <p style="text-align: center;">1 6 AUG 2000</p>
International application No. <p style="text-align: center;">PCT/US00/19496</p>	International filing date <i>(day month year)</i> <p style="text-align: center;">14 JUL 00</p>
Applicant HISTATEK, LLC	

1. ☒ REPLY DUE within 1 months days from the above date of mailing

☐ NO REPLY DUE, however, see below _____

☒ IMPORTANT COMMUNICATION

☐ INFORMATION ONLY

2. COMMUNICATION:

Applicant is hereby notified that this Receiving Office has found that certain pages of the international application identified above were missing on filing, namely:

☐ pages 150 of the description
☐ pages _____ of the claims

If the missing page(s) is(are) received within 30 days of the date of the first receipt of the papers:

- the missing page(s) will be included in the application and
- the international filing date will be the date of receipt of the missing page(s).

If the missing page(s) is(are) not received within 30 days of the date of first receipt of papers:

- the missing pages will not be included in the application and
- the international filing date will not change.

NOTE: The 30-day time limit for complying with this notice expires later than one year after the claimed priority date. Missing pages must be received before the priority year expires in order to retain the priority date.

Name and mailing address of the receiving Office Assistant Commissioner for Patent Box PCT Washington, D.C. 20231 Attn: RO/US Facsimile No. 703-305-3230	Authorized officer Dian Sellers Telephone No. 703-308-3742
--	--

PCT

To:

GEORGE W. NEUNER
DIKE, BRONSTEIN, ROBERTS AND CUSHMAN
INTELLECTUAL PROPERTY GROUP
EDWARDS & ANGELL, LLP, 130 WATER ST.
BOSTON MA 02109

**NOTIFICATION CONCERNING PAYMENT
OF PRESCRIBED FEES**

(PCT Rules 14, 15 and 16 and Administrative
Instructions, Sections 304(a) and (b) and 323(b))

Date of mailing
(day/month/year)

16 AUG 2000

Applicant's or agent's file reference
1789/49180 P

PAYMENT DUE

See item 3 for time limits

International application No.

PCT/US00/19496

International filing date/Date of receipt
(day/month/year)

14 JUL 00

Priority date (day/month/year)

16 JUL 99

Applicant

HISTATEK, LLC

1. The applicant is hereby notified that this receiving Office has received:



the payment of all the prescribed fees, and



an overpayment, which will be refunded in due course.



no or insufficient payment of the prescribed fees and the applicant is hereby invited to pay the balance due, as summarized under item 2, within the time limit(s) indicated under item 3.

2. Fees and payment calculation:

_____ = _____
Total fees payable Amount paid Balance



The details of the calculation are given in the Annex.

3. Time limit(s) for payment and amount(s) payable (Rules 14.1, 15.4 and 16.1(f)):



within ONE MONTH from the date of receipt of the international application (for the transmittal fee (if any), the search fee, the basic fee and the designation fee). The amount payable for each fee is the amount applicable on the date of receipt of the international application.



within ONE YEAR from the priority date (only for the designation fee and only if this time limit expires later than the above time limit).

---If the designation fee is paid within one month from the date of receipt of the international application, the amount payable is the amount applicable on that date of receipt.

---If the designation fee is paid within one year from the priority date but later than one month from the date of receipt of the international application, the amount payable is the amount applicable on the date of payment. The receiving Office should be consulted for the applicable amount.



within 16 MONTHS from the priority date (only for the fee for priority document). The applicant's attention is drawn to the fact that the request made by the applicant under Rule 17.1(b) will be considered not to have been made unless the fee is paid within that time limit.

4. Additional observations (if necessary):



The search copy will not be transmitted to the International Searching Authority until the search fee is paid (therefore the start of the international search will be delayed)(Rule 23.1(a) and (b)).

Name and mailing address of the receiving Office
Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231
Facsimile No.

Attn: RO/US

Authorized officer

Dian Sellers

PCT/Internat'l Appl Processing Div

Telephone No. **(703) 305-3742**

PATENT COOPERATION TREATY

RECEIVED

NOV 0 1 2000

PCT

DIKE BRONSTEIN
ROBERTS CUSHMAN

From the INTERNATIONAL BUREAU

To:

NEUNER, George, W.
Dike, Bronstein, Roberts &
Cushman, Intellectual Property
Group
Edwards & Angell, LLP
130 Water Street
Boston, MA 02109
ETATS-UNIS D'AMERIQUENOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

Date of mailing (day/month/year) 20 October 2000 (20.10.00)	
Applicant's or agent's file reference 1789/49180 PCT	IMPORTANT NOTIFICATION
International application No. PCT/US00/19496	International filing date (day/month/year) 14 July 2000 (14.07.00)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 16 July 1999 (16.07.99)
Applicant HISTATEK, LLC et al	

1. The applicant is hereby notified of the date of receipt (except where the letters "NR" appear in the right-hand column) by the International Bureau of the priority document(s) relating to the earlier application(s) indicated below. Unless otherwise indicated by an asterisk appearing next to a date of receipt, or by the letters "NR", in the right-hand column, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
2. This updates and replaces any previously issued notification concerning submission or transmittal of priority documents.
3. An asterisk(*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b). In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
4. The letters "NR" appearing in the right-hand column denote a priority document which was not received by the International Bureau or which the applicant did not request the receiving Office to prepare and transmit to the International Bureau, as provided by Rule 17.1(a) or (b), respectively. In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
16 July 1999 (16.07.99)	60/144,539	US	19 Sept 2000 (19.09.00)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 740.14.35

Authorized officer

Sean Taylor

Telephone No. (41-22) 338.83.38

PCT

NOTICE INFORMING THE APPLICANT OF THE
COMMUNICATION OF THE INTERNATIONAL
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

From the INTERNATIONAL BUREAU

To:

NEUNER, George, W.
Dike, Bronstein, Roberts &
Cushman, Intellectual Property
Group
Edwards & Angell, LLP
130 Water Street
Boston, MA 02109
ETATS-UNIS D'AMERIQUE

RECEIVED

FEB 05 2001

EDWARDS & ANGELL LLP
DIKE BRONSTEIN
ROBERTS CUSHMAN

Date of mailing (day/month/year) 25 January 2001 (25.01.01)		
Applicant's or agent's file reference 1789/49180 PCT		IMPORTANT NOTICE
International application No. PCT/US00/19496	International filing date (day/month/year) 14 July 2000 (14.07.00)	
Priority date (day/month/year) 16 July 1999 (16.07.99)		
Applicant HISTATEK, LLC et al		

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this Notice:

AU,KP,KR,US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present Notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE,AL,AM,AP,AT,AZ,BA,BB,BG,BR,BY,CA,CH,CN,CR,CU,CZ,DE,DK,DM,EA,EE,EP,ES,FI,GB,GD,
GE,GH,GM,HR,HU,ID,IL,IN,IS,JP,KE,KG,KZ,LC,LK,LR,LS,LT,LU,LV,MA,MD,MG,MK,MN,MW,MX,
NO,NZ,OA,PL,PT,RO,RU,SD,SE,SG,SI,SK,SL,TJ,TM,TR,TT,TZ,UA,UG,UZ,VN,YU,ZA,ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this Notice is a copy of the international application as published by the International Bureau on 25 January 2001 (25.01.01) under No. WO 01/05420

REMINDER REGARDING CHAPTER II (Article 31(2)(a) and Rule 54.2)

If the applicant wishes to postpone entry into the national phase until 30 months (or later in some Offices) from the priority date, a demand for international preliminary examination must be filed with the competent International Preliminary Examining Authority before the expiration of 19 months from the priority date.

It is the applicant's sole responsibility to monitor the 19-month time limit.

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

REMINDER REGARDING ENTRY INTO THE NATIONAL PHASE (Article 22 or 39(1))

If the applicant wishes to proceed with the international application in the national phase, he must, within 20 months or 30 months, or later in some Offices, perform the acts referred to therein before each designated or elected Office.

For further important information on the time limits and acts to be performed for entering the national phase, see the Annex to Form PCT/IB/301 (Notification of Receipt of Record Copy) and Volume II of the PCT Applicant's Guide.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer J. Zahra
Facsimile No. (41-22) 740.14.35	Telephone No. (41-22) 338.83.38

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

RECEIVED

SEP 19 2000

DIKE BRONSTEIN
ROBERTS CUSHMAN

INVITATION TO CORRECT
PRIORITY CLAIM

(PCT Rules 4.10, 26bis.1, 26bis.2(a) and (b))

To:

NEUNER, George, W.
Dike, Bronstein, Roberts & Cushman,
Intellectual Property Group
Edwards & Angell, LLP
130 Water Street
Boston, MA 02109
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 11 September 2000 (11.09.00)	REPLY DUE See item I
Applicant's or agent's file reference 1789/49180 PCT	
International application No. PCT/US00/19496	International filing date (day/month/year) 14 July 2000 (14.07.00)
Applicant HISTATEK, LLC	

The applicant is hereby invited, within the time limit indicated below, to correct, by a notice submitted to the International Bureau, defects in the priority claim(s), as indicated in the Annex:

1. Time limit to respond to this invitation (Rule 26bis.1(a)):

- within 16 months from the (earliest) priority date; or
 - if the (earliest) priority date is changed as a result of the correction or addition of the (earliest) priority claim, within 16 months from that (earliest) priority date so changed,
- whichever expires first, provided that such a notice may, in any event, be submitted until the expiration of four months from the international filing date.

Failure to respond to this invitation within the prescribed time limit may result in the priority claim concerned to be considered, for the purposes of the procedure under the PCT, not to have been made (Rule 26bis.2(b)).

2. In the case where multiple priorities have been claimed, this invitation relates to the following priority claim(s):

3. A copy of this invitation is being sent to the receiving Office.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer H. Zhou
Facsimile No. (41-22) 740.14.35	Telephone No. (41-22) 338.83.38

The International Bureau has found the following defects in the priority claim(s):

1. Failure to Comply with the Requirements of Rule 4.10

- a. ☒ **National application**
- ☐ Missing indication of the filing date of the earlier application.
 - ☐ Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.
 - ☐ Missing indication of the number of the earlier application.*
 - ☒ Missing indication of the country party to the Paris Convention for the Protection of Industrial Property, or of the Member of the World Trade Organization that is not party to that Convention, in which the earlier national application was filed.
 - ☐ The country indicated is neither a party to the Paris Convention for the Protection of Industrial Property nor a Member of the World Trade Organization.
- b. ☐ **Regional application**
- ☐ Missing indication of the filing date of the earlier application.
 - ☐ Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.
 - ☐ Missing indication of the number of the earlier application.*
 - ☐ Missing indication of the authority entrusted with the granting of regional patents under the applicable regional patent treaty.
 - ☐ The authority indicated as the authority entrusted with the granting of regional patents does not grant regional patents.
 - ☐ The priority claim in relation to the ARIPO application does not indicate either at least one country party to the Paris Convention for the Protection of Industrial Property, or at least one Member of the World Trade Organization, for which the earlier application was filed.
- c. ☐ **International application**
- ☐ Missing indication of the filing date of the earlier application.
 - ☐ Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.
 - ☐ Missing indication of the number of the earlier application.*
 - ☐ Missing indication of the receiving Office with which it was filed.

2. Inconsistency with the Corresponding Indications in the Priority Document*

- a. ☐ Inconsistency with regard to the filing date of the earlier application:
The request indicates:
The priority document indicates:
- b. ☐ Inconsistency with regard to the number of the earlier application:
The request indicates:
The priority document indicates:
- c. ☐ Inconsistency with regard to the country party to the Paris Convention for the Protection of Industrial Property or the Member of the World Trade Organization in which the national application was filed:
The request indicates:
The priority document indicates:
- d. ☐ Inconsistency with regard to the authority entrusted with the granting of regional patents under the applicable regional patent treaty:
The request indicates:
The priority document indicates:
- e. ☐ Inconsistency with regard to the receiving Office with which the international application was filed:
The request indicates:
The priority document indicates:

* Even if this defect is not corrected in response to this invitation, the priority claim concerned will not be considered not to have been made (Rule 26bis.2(b)).

OCT 1 9 2000

PCT

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and Administrative Instructions, Sections 402 and 409)

From the INTERNATIONAL BUREAU

To:

NEUNER, George, W.
Dike, Bronstein, Roberts &
Cushman, Intellectual Property
Group
Edwards & Angell, LLP
130 Water Street
Boston, MA 02109
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 11 October 2000 (11.10.00)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 1789/49180 PCT	
International application No. PCT/US00/19496	International filing date (day/month/year) 14 July 2000 (14.07.00)
Applicant HISTATEK, LLC et al	

The applicant is hereby notified of the following in respect of the priority claim(s) made in the international application.

1. ☒ **Correction of priority claim.** In accordance with the applicant's notice received on: 25 September 2000 (25.09.00), the following priority claim has been corrected to read as follows:
US 16 July 1999 (16.07.99) 60/144,539
☐ even though the indication of the number of the earlier application is missing.
☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
2. ☐ **Addition of priority claim.** In accordance with the applicant's notice received on: , the following priority claim has been added:
☐ even though the indication of the number of the earlier application is missing.
☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
3. ☐ As a result of the correction and/or addition of (a) priority claim(s) under items 1 and/or 2, the (earliest) priority date is:
4. ☐ **Priority claim considered not to have been made.**
☐ The applicant failed to respond to the Invitation under Rule 26bis.2(a) (Form PCT/IB/316) within the prescribed time limit.
☐ The applicant's notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a).
☐ The applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.
The applicant may, before the technical preparations for international publication have been completed and subject to the payment of a fee, request the International Bureau to publish, together with the international application, information concerning the priority claim. See Rule 26bis.2(c) and the PCT Applicant's Guide, Volume I, Annex B2(IB).
5. ☐ In case where multiple priorities have been claimed, the above item(s) relate to the following priority claim(s):
6. A copy of this notification has been sent to the receiving Office and
☒ to the International Searching Authority (where the international search report has not yet been issued).
☒ the designated Offices (which have already been notified of the receipt of the record copy).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 740.14.35	Authorized officer N. Lindner Telephone No. (41-22) 338.83.38
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PATENT COOPERATION TREATY

PCT

INFORMATION CONCERNING ELECTED
OFFICES NOTIFIED OF THEIR ELECTION

(PCT Rule 61.3)

From the INTERNATIONAL BUREAU

To:

NEUNER, George, W.
Dike, Bronstein, Roberts &
Cushman, Intellectual Property
Group
Edwards & Angell, LLP
130 Water Street
Boston, MA 02109
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 26 April 2001 (26.04.01)		
Applicant's or agent's file reference 1789/49180 PCT		IMPORTANT INFORMATION
International application No. PCT/US00/19496	International filing date (day/month/year) 14 July 2000 (14.07.00)	
Priority date (day/month/year) 16 July 1999 (16.07.99)		
Applicant HISTATEK, LLC et al		

1. The applicant is hereby informed that the International Bureau has, according to Article 31(7), notified each of the following Offices of its election:

AP : GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW

EP : AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE

National : AU, BG, CA, CN, CZ, DE, IL, JP, KP, KR, MN, NO, NZ, PL, RO, RU, SE, SK, US

2. The following Offices have waived the requirement for the notification of their election; the notification will be sent to them by the International Bureau only upon their request:

EA : AM, AZ, BY, KG, KZ, MD, RU, TJ, TM

OA : BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG

National : AE, AL, AM, AT, AZ, BA, BB, BR, BY, CH, CR, CU, DK, DM, EE, ES, FI, GB, GD, GE, GH,
GM, HR, HU, ID, IN, IS, KE, KG, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MW, MX, PT, SD,
SG, SI, SL, TJ, TM, TR, TT, TZ, UA, UG, UZ, VN, YU, ZA, ZW

3. The applicant is reminded that he must enter the "national phase" before the expiration of 30 months from the priority date before each of the Offices listed above. This must be done by paying the national fee(s) and furnishing, if prescribed, a translation of the international application (Article 39(1)(a)), as well as, where applicable, by furnishing a translation of any annexes of the international preliminary examination report (Article 36(3)(b) and Rule 74.1).

Some offices have fixed time limits expiring later than the above-mentioned time limit. For detailed information about the applicable time limits and the acts to be performed upon entry into the national phase before a particular Office, see Volume II of the PCT Applicant's Guide.

The entry into the European regional phase is postponed until 31 months from the priority date for all States designated for the purposes of obtaining a European patent.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 740.14.35	Authorized officer: R. Forax Telephone No. (41-22) 338.83.38
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PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION OF RECEIPT
OF DEMAND BY COMPETENT INTERNATIONAL
PRELIMINARY EXAMINING AUTHORITY

(PCT Rules 59.3(e) and 61.1(b), first sentence
and Administrative Instructions, Section 601(a))

To:
GEORGE W. NEUNER
DIKE, BRONSTEIN, ROBERTS AND CUSHMAN
INTELLECTUAL PROPERTY GROUP
EDWARDS & ANGELL, LLP, 130 WATER ST.
BOSTON, MA 02109

Date of mailing
(day/month/year) **12 MAR 2001**

Applicant's or agent's file reference 1789/49180 P		IMPORTANT NOTIFICATION	
International application No. PCT/US00/19496	International filing date (day/month/year) 14 JUL 00	Priority date (day/month/year) 16 JUL 99	
Applicant HISTATEK, LLC			

1. The applicant is hereby **notified** that this International Preliminary Examining Authority considers the following date as the date of receipt of the demand for international preliminary examination of the international application:

14 feb 2001

2. That date of receipt is:

☒ the actual date of receipt of the demand by this Authority (Rule 61.1(b)).

☐ the actual date of receipt of the demand on behalf of this Authority (Rule 59.3(e)).

☐ the date on which this Authority has, in response to the invitation to correct defects in the demand (Form PCT/IPEA/404), received the required corrections.

3. ☐ **ATTENTION:** That date of receipt is **AFTER** the expiration of 19 months from the priority date. Consequently, the election(s) made in the demand does (do) not have the effect of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)). Therefore, the acts for entry into the national phase must be performed within 20 months from the priority date (or later in some Offices) (Article 22). For details, see the *PCT Applicant's Guide, Volume II*.

☐ (If applicable) This notification confirms the information given by telephone, facsimile transmission or in person on:

4. Only where paragraph 3 applies, a copy of this notification has been sent to the International Bureau.

Name and mailing address of the IPEA/ Assistant Commissioner for Patent Box PCT Washington, D.C. 20231 Attn:RO/US Facsimile No. 703-305-3230	Authorized officer Dian Sellers <i>D. Russell for</i> Telephone No. 703-308-3742
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Form PCT/IPEA/402 (July 1998)

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
GEORGE W. NEUNER
DIKE, BRONSTEIN, ROBERTS AND CUSHMAN
INTELLECTUAL PROPERTY GROUP
EDWARDS & ANGELL, LLP, 130 WATER ST.
BOSTON, MA 02109

PCT

RECEIVED
JUN 21 2001
EDWARDS & ANGELL LLP
DIKE BRONSTEIN
ROBERTS CUSHMAN

WRITTEN OPINION

(PCT Rule 66)

Date of Mailing (day/month/year) 11 JUN 2001	
Applicant's or agent's file reference 1789/49180 P	REPLY DUE within 2 months/days from the above date of mailing
International application No. PCT/US00/19496	International filing date (day/month/year) 14 July 2000 (14.07.2000)
Priority date (day/month/year) 16 July 1999 (16.07.1999)	
International Patent Classification (IPC) or both national classification and IPC IPC(7): A61K 38/04, 38/06, 38/07, C07K 5/00, 5/08, 5/10 and US Cl.: 514/18	
Applicant HISTATEK, LLC	

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2 (a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension. See rule 66.2(d).~~

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 16 November 2001 (16.11.2001).

Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703)305-3230	Authorized officer Stephen Tu <i>Gayle Bridger</i> Telephone No. 703-308-0196
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Form PCT/IPEA/408 (cover sheet)(July 1998)

SEE
OTHER SIDE

WRITTEN OPINION

International application No.

PCT/US00/19496

I. Basis of the opinion

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
 - pages 1-36, as originally filed
 - pages NONE, filed with the demand
 - pages NONE, filed with the letter of _____.
- ☒ the claims:
 - pages 37, as originally filed
 - pages NONE, as amended (together with any statement) under Article 19
 - pages NONE, filed with the demand
 - pages NONE, filed with the letter of _____.
- ☒ the drawings:
 - pages 1-13, as originally filed
 - pages NONE, filed with the demand
 - pages NONE, filed with the letter of _____.
- ☐ the sequence listing part of the description:
 - pages NONE, as originally filed
 - pages NONE, filed with the demand
 - pages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages NONE _____
- ☐ the claims, Nos. NONE _____
- ☐ the drawings, sheets/fig NONE _____

5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."

WRITTEN OPINION

International application No.
PCT/US00/19496

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims <u>1-6</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-6</u>	NO
Industrial Applicability (IA)	Claims <u>1-6</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-6 meet the criteria for novelty set out in PCT Article 33(2) because the prior art does not disclose a method of treating an indication resulting from an IgE mediate response in a mammal by administering an amount of a peptide having the formula f-Met-Leu-X so as to downregulate the production of IgE.

Claims 1-6 lack an inventive step under PCT Article 33(3) as being obvious over WO 99/25372. The reference teaches the use of a peptide having the formula f-Met-Leu-X to reduce the production of IgE antibodies at the site of inflammation in a patient, which consisted of administering an effective amount of the peptide to elicit the desired response. Such treatment was used to treat inflammation, asthma, which are indications that can result from an IgE mediated response.

Claims 1-6 meet the criteria for industrial applicability set out in PCT Article 33(4).

Res Pouse
Edwards & Angell LLP
Dike, Bronstein, Roberts & Cushman
130 Water St. Boston, MA 02108
Date Rec'd. 06/22/01
Docketed For 06/11-17, 2001
By PLS
Approved _____

WRITTEN OPINION

International application No.
PCT/US00/19496

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

TIME LIMIT:

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

RECEIVED NOTIFICATION OF RECEIPT OF
RECORD COPY

SEP 19 2000 (PCT Rule 24.2(a))

DIKE BRONSTEIN
ROBERTS CUSHMAN

To:

NEUNER, George, W.
Dike, Bronstein, Roberts &
Cushman, Intellectual Property
Group
Edwards & Angell, LLP
130 Water Street
Boston, MA 02109
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 11 September 2000 (11.09.00)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 1789/49180 PCT	International application No. PCT/US00/19496

The applicant is hereby notified that the International Bureau has received the record copy of the international application as detailed below.

Name(s) of the applicant(s) and State(s) for which they are applicants:

HISTATEK, LLC (for all designated States except US)
CLARGETT, James (for US)

International filing date : 14 July 2000 (14.07.00)
Priority date(s) claimed : 16 July 1999 (16.07.99)
Date of receipt of the record copy
by the International Bureau : 17 August 2000 (17.08.00)
List of designated Offices :

AP : GH,GM,KE,LS,MW,MZ,SD,SL,SZ,TZ,UG,ZW
EA : AM,AZ,BY,KG,KZ,MD,RU,TJ,TM
EP : AT,BE,CH,CY,DE,DK,ES,FI,FR,GB,GR,IE,IT,LU,MC,NL,PT,SE
OA : BF,BJ,CF,CG,CI,CM,GA,GN,GW,ML,MR,NE,SN,TD,TG
National : AE,AL,AM,AT,AU,AZ,BA,BB,BG,BR,BY,CA,CH,CN,CR,CU,CZ,DE,DK,DM,EE,ES,FI,GB,
GD,GE,GH,GM,HR,HU,ID,IL,IN,IS,JP,KE,KG,KP,KR,KZ,LC,LK,LR,LS,LT,LU,LV,MA,MD,MG,MK,
MN,MW,MX,NO,NZ,PL,PT,RO,RU,SD,SE,SG,SI,SK,SL,TJ,TM,TR,TT,TZ,UA,UG,US,UZ,VN,YU,ZA,
ZW

ATTENTION

The applicant should carefully check the data appearing in this Notification. In case of any discrepancy between these data and the indications in the international application, the applicant should immediately inform the International Bureau.

In addition, the applicant's attention is drawn to the information contained in the Annex, relating to:

- ☒ time limits for entry into the national phase
- ☒ confirmation of precautionary designations
- ☐ requirements regarding priority documents

A copy of this Notification is being sent to the receiving Office and to the International Searching Authority.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 740.14.35	Authorized officer: H. Zhou Telephone No. (41-22) 338.83.38
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INFORMATION ON TIME LIMITS FOR ENTERING THE NATIONAL PHASE

The applicant is reminded that the "national phase" must be entered before each of the designated Offices indicated in the Notification of Receipt of Record Copy (Form PCT/IB/301) by paying national fees and furnishing translations, as prescribed by the applicable national laws.

The time limit for performing these procedural acts is **20 MONTHS** from the priority date or, for those designated States which the applicant elects in a demand for international preliminary examination or in a later election, **30 MONTHS** from the priority date, provided that the election is made before the expiration of 19 months from the priority date. Some designated (or elected) Offices have fixed time limits which expire even later than 20 or 30 months from the priority date. In other Offices an extension of time or grace period, in some cases upon payment of an additional fee, is available.

In addition to these procedural acts, the applicant may also have to comply with other special requirements applicable in certain Offices. It is the applicant's responsibility to ensure that the necessary steps to enter the national phase are taken in a timely fashion. Most designated Offices do not issue reminders to applicants in connection with the entry into the national phase.

For detailed information about the procedural acts to be performed to enter the national phase before each designated Office, the applicable time limits and possible extensions of time or grace periods, and any other requirements, see the relevant Chapters of Volume II of the PCT Applicant's Guide. Information about the requirements for filing a demand for international preliminary examination is set out in Chapter IX of Volume I of the PCT Applicant's Guide.

GR and ES became bound by PCT Chapter II on 7 September 1996 and 6 September 1997, respectively, and may, therefore, be elected in a demand or a later election filed on or after 7 September 1996 and 6 September 1997, respectively, regardless of the filing date of the international application. (See second paragraph above.)

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

CONFIRMATION OF PRECAUTIONARY DESIGNATIONS

This notification lists only specific designations made under Rule 4.9(a) in the request. It is important to check that these designations are correct. Errors in designations can be corrected where precautionary designations have been made under Rule 4.9(b). The applicant is hereby reminded that any precautionary designations may be confirmed according to Rule 4.9(c) before the expiration of 15 months from the priority date. If it is not confirmed, it will automatically be regarded as withdrawn by the applicant. There will be no reminder and no invitation. Confirmation of a designation consists of the filing of a notice specifying the designated State concerned (with an indication of the kind of protection or treatment desired) and the payment of the designation and confirmation fees. Confirmation must reach the receiving Office within the 15-month time limit.

REQUIREMENTS REGARDING PRIORITY DOCUMENTS

For applicants who have not yet complied with the requirements regarding priority documents, the following is recalled.

Where the priority of an earlier national, regional or international application is claimed, the applicant must submit a copy of the said earlier application, certified by the authority with which it was filed ("the priority document") to the receiving Office (which will transmit it to the International Bureau) or directly to the International Bureau, before the expiration of 16 months from the priority date, provided that any such priority document may still be submitted to the International Bureau before that date of international publication of the international application, in which case that document will be considered to have been received by the International Bureau on the last day of the 16-month time limit (Rule 17.1(a)).

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office to prepare and transmit the priority document to the International Bureau. Such request must be made before the expiration of the 16-month time limit and may be subjected by the receiving Office to the payment of a fee (Rule 17.1(b)).

If the priority document concerned is not submitted to the International Bureau or if the request to the receiving Office to prepare and transmit the priority document has not been made (and the corresponding fee, if any, paid) within the applicable time limit indicated under the preceding paragraphs, any designated State may disregard the priority claim, provided that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity to furnish the priority document within a time limit which is reasonable under the circumstances.

Where several priorities are claimed, the priority date to be considered for the purposes of computing the 16-month time limit is the filing date of the earliest application whose priority is claimed.

PATENT COOPERATION TREATY

SEP 2 2 2000

DIKE BRONSTEIN
ROBERTS CUSHMAN

From the INTERNATIONAL SEARCHING AUTHORITY

To:
GEORGE W. NEUNER
DIKE, BRONSTEIN, ROBERTS AND CUSHMAN
INTELLECTUAL PROPERTY GROUP
EDWARDS & ANGELL, LLP
30 WATER ST.
BOSTON, MA 02109

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 1789/49180 P	Date of Mailing (day/month/year) 20 SEP 2000
International application No. PCT/US00/19496	International filing date (day/month/year) 14 July 2000 (14.07.2000)
Applicant HISTATEK, LLC	

1. ☒ The applicant is hereby notified that the international search report has been established and is transmitted herewith.
 Filing of amendments and statement under Article 19:
 The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the international search report; however, for more details, see the notes on the accompany sheet.

Where? Directly to the International Bureau of WIPO
 34, chemin des Colombettes
 1211 Geneva 20, Switzerland
 Facsimile No.: (41-22) 740.14.35

 For more detailed instructions, see the notes on the accompanying sheet.
2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
4. **Further action(s):** The applicant is reminded of the following:

 Shortly after 18 months from the priority date, the international application will be published by the International Bureau.
 If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in rules 90 bis 1 and 90 bis 3, respectively, before the completion of the technical preparations for international publication.

 Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

 Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the ISA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703)305-3230	Authorized officer <i>Christopher Lew</i> Christopher Lew Telephone No. 703-308-0196
--	--

Form PCT/ISA/220 (July 1998)

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To: GEORGE W. NEUNER
DIKE, BRONSTEIN ROBERTS AND CUSHMAN
INTELLECTUAL PROPERTY GROUP
EDWARDS & ANGELL, LLP, 130 WATER STREET
BOSTON, MA 02109

RECEIVED

NOV 14 2001

EDWARDS & ANGELL LLP
DIKE BRONSTEIN
ROBERTS CUSHMAN

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing
(day/month/year)

05 NOV 2001

Applicant's or agent's file reference

1789/49180 P

IMPORTANT NOTIFICATION

International application No.

PCT/US00/19496

International filing date (day/month/year)

14 JULY 2000

Priority Date (day/month/year)

16 JULY 1999

Applicant

HISTATEK, LLC

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US

Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

ABDEL A. MOHAMMED

Telephone No. (703) 305-0196

TO

UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US)GEORGE W. NEUNER
DIKE, BRONSTEIN, ROBERTS AND CUSHMAN
INTELLECTUAL PROPERTY GROUP
EDWARDS & ANGELL, LLP, 130 WATER ST.
BOSTON MA 02109NOTIFICATION OF STATUS OF
REQUIREMENTS UNDER 35 U.S.C.371

DATE OF MAILING

16 AUG 2000

FILE REFERENCE

1789/49180 P

IDENTIFICATION OF INTERNATIONAL APPLICATION

International Application Number

PCT/US00/19496

International Filing Date

14 JUL 00

Priority Date Claimed

16 JUL 99

Applicant for DO/EO/US

HISTATEK, LLC

NOTIFICATION

The applicant is hereby advised that the U.S. Patent and Trademark Office in its capacity as ☒ Designated Office ☐ Elected Office has received the following items as of the date of mailing indicated above.

1. ☐ U.S. National fee [35 U.S.C.371 (c) (1)]
2. ☐ Oath of declaration [35 U.S.C.371 (c) (4)]
3. ☒ Copy of International application as filed [35 U.S.C.371 (c) (2)]
4. ☐ Translation of Application [35 U.S.C.371 (c) (2)]
5. ☐ Amendments under PCT Article 19 [35 U.S.C.371 (c) (3)]
6. ☐ Translation of PCT Article 19 Amendments [35 U.S.C.371 (c) (3)]
7. ☐ Search Report or Declaration under PCT Article 17(2) [35 U.S.C.371 (a)]
8. ☐ International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3) (a) [35 U.S.C.371 (a)]
9. ☐ Translation of Annexes to the International Preliminary Examination Report under PCT Article 36(3) (b) [35 U.S.C.371 (c) (5)]
10. ☐ Other items received:
 - ☐ Assignment Document ☐ Prior Art Statement ☐ Preliminary Amendment
- A. ☐ Requirements for U.S. National processing have been met. Processing will commence
 - ☐ at the expiration of the applicable time limit under either
 - ☐ PCT Article 22 [35 U.S.C.371 (b)] or
 - ☐ PCT Article 39 [35 U.S.C.371 (b)]
 - ☐ on the date indicated below under the provisions of 35 U.S.C.371 (f)

U.S. NATIONAL SERIAL#

DATE UNDER 35 U.S.C.102(e)

DATE OF COMMENCEMENT OF
NATIONAL PROCESSING

All correspondence submitted after the date of commencement of U.S. National processing indicated above should refer to the U.S. National Serial Number and the appropriate U.S. National processing organization or Officer.

- B. ☐ As the above identified application has been accepted for U.S. National processing under the provisions of 35 U.S.C.371 (f) before expiration of the applicable time limit under ☐ PCT Article 22 ☐ PCT Article 39, applicant is reminded that
- ☐ Amendments under PCT Article 19 and/or
 - ☐ the International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3) (a), and (b)
- and any translation thereof, if applicable, must be submitted to the Patent and Trademark Office as soon as they are available.

International application No. PCT/US 00/19496	International filing date 14 JUL 00	Priority Date Claimed 16 JUL 99
<p>C. <input checked="" type="checkbox"/> In order that U.S. National processing may begin, certain items must be received by the DO/EO/US by the expiration of applicable time limit under</p> <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> PCT Article 22 or <input checked="" type="checkbox"/> PCT Article 39. </div> <p style="margin-left: 40px;">Specifically:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> 1. U.S. National Fee <input checked="" type="checkbox"/> 2. Oath or Declaration <input type="checkbox"/> 3. Copy of Application <input type="checkbox"/> 4. Translation of application <input checked="" type="checkbox"/> 5. Amendments under PCT Article 19, if any <input type="checkbox"/> 6. Translation of PCT Article 19 Amendments, if applicable <input type="checkbox"/> 7. Search Report or PCT Article 17(2) declaration <input type="checkbox"/> 8. International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3)(a), if applicable <input type="checkbox"/> 9. Translation of Annexs to the International Preliminary Examination Report under PCT Article 36(3)(b), if applicable <p style="margin-top: 10px;">THE ABOVE CHECK ITEMS MUST BE TIMELY RECEIVED TO AVOID ABANDONMENT OF THE APPLICATION. [35. U.S.C. 371(d)]</p> <p>D. Further information for the applicant:</p> <p style="text-align: center; font-size: 1.2em; margin-top: 10px;">This is only a reminder.</p>		
UNITED STATES DESIGNATED/ELECTED OFFICE		
Address Only: Assistant Commissioner for Patent Box PCT Washington, D.C. 20231 Attn: RO/US	Authorized Office Dian Sellers	

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

14/

RECEIVED 08 JULY 2001

Applicant's or agent's file reference 1789/49180 P	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/414)	
International application No. PCT/US00/19496	International filing date (day/month/year) 14 JULY 2000	Priority date (day/month/year) 16 JULY 1999
International Patent Classification (IPC) or national classification and IPC Please See Supplemental Sheet.		
Applicant HISTATEK, LLC		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 14 FEBRUARY 2001	Date of completion of this report 20 SEPTEMBER 2001
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer ABDEL A. MOHAMED
Facsimile No. (703) 305-3230	Telephone No. (703) 308-0196

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/19496

I. Basis of the report**1. With regard to the elements of the international application:***☒ the international application as originally filed☒ the description:pages 1-36, as originally filedpages NONE, filed with the demandpages NONE, filed with the letter of _____☒ the claims:pages 37, as originally filedpages NONE, as amended (together with any statement) under Article 19pages NONE, filed with the demandpages NONE, filed with the letter of _____☒ the drawings:pages 1-13, as originally filedpages NONE, filed with the demandpages NONE, filed with the letter of _____☒ the sequence listing part of the description:pages NONE, as originally filedpages NONE, filed with the demandpages NONE, filed with the letter of _____**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**☐ contained in the international application in printed form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.**4. ☒ The amendments have resulted in the cancellation of:**☒ the description, pages NONE☒ the claims, Nos. NONE☒ the drawings, sheets/~~figs~~ NONE**5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(e)).****

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

**Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/19496

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. statement**

Novelty (N)

Claims	<u>1-6</u>	YES
Claims	<u>None</u>	NO

Inventive Step (IS)

Claims	<u>None</u>	YES
Claims	<u>1-6</u>	NO

Industrial Applicability (IA)

Claims	<u>1-6</u>	YES
Claims	<u>None</u>	NO

2. citations and explanations (Rule 70.7)

Claims 1-6 meet the criteria for novelty set out in PCT Article 33(2) because the prior art does not disclose a method of treating an indication resulting from an IgE mediate response in a mammal by administering an amount of a peptide having the formula f-Met-Leu-X *sop* as to downregulate the production of IgE.

Claims 1-6 lack an inventive step under PCT Article 33(3) as being obvious over WO 99/25372. The reference teaches the use of a peptide having the formula f-Met-Leu-X to reduce the production of IgE antibodies at the site of inflammation in a patient, which consisted of administering an effective amount of the peptide to elicit the desired response. Such treatment was used to treat inflammation, asthma, which are indications that can result from an IgE mediated response.

Claims 1-6 meet the criteria for industrial applicability set out in PCT Article 33(4).

----- NEW CITATIONS -----
NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/19496

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

CLASSIFICATION:

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(7): A61K 38/04, 38/06, 38/07; C07K 5/00, 5/08, 5/10 and US Cl.: 514/12, 18, 19; 424/185.1, 190.1; 530/324, 330, 331.